

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

JONATHAN JASON RODRIGUEZ,

Plaintiff,

v.

**E. ANDERSON, S. BROWN, J. CUNA, T.
HART, TURNER, BRADY, and N.
SOBOTTA,**

Defendants.

Case No. 2:20-cv-01914-AR

ORDER ADOPTING F&R

Jonathan Jason Rodriguez, Portland, OR. Pro Se.

Michael R. Washington, Oregon Department of Justice, 1162 Court Street NE, Salem, OR 97301. Attorney for Defendants.

IMMERGUT, District Judge.

On November 13, 2023, Magistrate Judge Jeff Armistead issued his Findings and Recommendation (“F&R”), ECF 62, recommending that Defendants’ Motion for Partial Summary Judgment, ECF 54, be GRANTED. No party filed objections. This Court ADOPTS Magistrate Judge Armistead’s F&R.

LEGAL STANDARDS

Under the Federal Magistrates Act (“Act”), as amended, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). If a party objects to a magistrate judge’s F&R, “the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.* But the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the F&R that are not objected to. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). Nevertheless, the Act “does not preclude further review by the district judge, *sua sponte*” whether de novo or under another standard. *Thomas*, 474 U.S. at 154.

CONCLUSION

No party having filed objections, this Court has reviewed the F&R, ECF 62, and accepts Judge Armistead’s conclusions. Judge Armistead’s F&R, ECF 62, is adopted in full. Accordingly, this Court GRANTS Defendants’ Motion for Partial Summary Judgment, ECF 54.

IT IS SO ORDERED.

DATED this 18th day of December, 2023.

/s/ Karin J. Immergut
Karin J. Immergut
United States District Judge